

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING**

Tuesday, February 24, 2015
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The February 24, 2015 Township of Derry Board of Supervisors meeting was called to order at 7:00 p.m. by John W. Foley, Jr., Chairman.

ROLL CALL

Supervisors Present:

Sandy A. Ballard
Justin C. Engle, Secretary
John W. Foley, Jr., Chairman
Marc A. Moyer, Vice-Chairman
Matthew A. Weir

Also Present:

Matt Bonanno, HRG Engineer
Thomas Clark, Director of Public Works
Bob DiLello, Fire Company
Barbara S. Ellis, Director of Hershey Public Library
Charles Emerick, Director of Community Development
Jill Henry, Assistant Township Manager
Cheryl Lontz, Manager of Payroll and Employee Benefits
Matt J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Jon Yost, Solicitor
Brenda Van Deursen, Recorder

Public Present: Timothy Hoover, Elvira Ebling, Bob Smith, Dennis trout, Anne Newman, Jack Storm, Carol Gisselquist, Harry Susi, Kellie VonStein, Susan Reider, Rob Wasserstrom, Dale Holte, Cate Wagner, Phil Friedrich, Linda Crandall, O. Brown, Juliet Waldron, Brendon Twaddell, David Twaddell, Rich Gamble, Gail Sutton, Amy Hallock, Sharyn Kocevar

Chairman Foley advised that all public meetings are recorded for providing accurate minutes.

Chairman Foley announced that the Board of Supervisors met in executive session to discuss land, legal, and personnel matters.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Dennis Trout – Mr. Trout said neither he nor anyone who lives along Middletown Road needs to be an expert to testify that the problems currently exist and continue to get worse even without changing either zoning or use requirements. Approval for additional uses that will increase traffic, air pollution, noise and increased safety hazards will only increase the existing problems and should be denied. The conditional use request to permit Pennsylvania state inspections to be

conducted at the Jiffy Lube on Kaylor Road off of Middletown Road should be denied because of site specific problems, as well as the requisites pertaining to automotive lube facilities within the Neighborhood Commercial zoning. In his opinion, there are insufficient roads and drives onsite within this zoning to perform adequate road tests. There is only about one tenth of a mile or less of surfaced roads within Neighborhood Commercial zone and it is not suitable for their adequate road testing of vehicles. The other facilities, particularly the Goddard School, a child care center, a Turkey Hill gas station, Stauffer's, and the ultimate car wash and their connecting drives within this zone should not be subjected to road test traffic because of the safety for the patrons of these facilities.

The conditional use request to permit Pennsylvania state inspections to be conducted at the Jiffy Lube should be denied until the Township updates and completes revisions to the Comprehensive Plan in order to lessen the existing and worsening problems on Middletown Road.

Harry Susi, 86 Ridgeview Road, Hummelstown – Mr. Susi expressed three concerns. His first concern is with the proposed Regional Police Force and how Derry Township will be impacted by that. Secondly, the tax dollars for the revitalization of Downtown Hershey should be paid by the people who own the land and who will benefit from it. His last concern is related to a recent article in the Patriot News, February 3, 2015, titled "Supervisors consider landlord rules in South Middleton Township." In Derry Township, there are a number of homes being rented out and there should be some guidelines that require managers and owners of the home/rental property to be registered and tenants should be required to register their names and addresses.

Rob Wasserstrom, 86 Cambridge Drive – Mr. Wasserstrom has questions about the potential benefits and risks of using any kind of public funding or guarantee including the TIF bonds for projects whose benefits aren't clear. It looks like the taxpayers may be asked to co-sign a loan and forgo tax revenues that will ultimately flow to the bond holders. Without a comprehensive plan the TIF proposal raises questions such as how can they be sure the proposed development will fit in with the Township's long range objectives, especially when these objectives haven't been identified yet. Why are we in such a hurry to do this? He would hope that the committee will look at all potential alternatives including the alternative of not having a TIF. Mr. Wasserstrom hopes the supervisors on the committee would not have any personal interest in any particular outcome. As these discussions move forward, we need to be assured of an open, transparent process with meaningful opportunities for public involvement. Mr. Wasserstrom suggested appointing a citizens advisory committee to serve as a sounding board for those people who are concerned about TIF proposed developments.

Steve Ballard, 650 Cocoa Avenue – Mr. Ballard said he understands there is an opportunity to paint lines along Cocoa Avenue to slow traffic and allow bicycles to go along the southbound side. He encouraged the Board to support it. He sees children crossing over to the schools and library and he worries about their safety. The lines will have the right affect that slows the traffic and protects the kids.

Tyson Brown, 218 Elm Avenue – Mr. Brown is a parent of a student cyclist and he is a cyclist and runner himself and appreciates the value of facilities that are intended to get us living healthier lifestyles. He agrees with what Mr. Ballard shared about re-stripping Cocoa Avenue and taking advantage of a project that will happen anyway to make that road appear and feel safer for bicyclists, pedestrians, and drivers. He would support the same consideration to Chocolate Avenue. Mr. Brown mentioned another bike and pedestrian issue regarding the roundabouts that are going in at the Milton Hershey School to slow traffic on Governor. He supports that move

because it will slow traffic. He asks the Township to ensure that the school consider pedestrian and bicycle facilities as they look at that design. He understands the current design does not take into account those needs. Mr. Brown referred to an agenda item about revamping the storm swale and he asks the Township to be patient and to allow the plantings that exist to continue to grow. He heard there are concerns about safety in that area and he would like to know what evidence there is that there is anything to be concerned about.

Kellie VonStein, State Senator Rob Teplitz Office – Ms. VonStein is the director of Constituent Outreach for Senator Teplitz. Because of the re-districting there are now three district offices; Kline Village, Perry County and Halifax. They also have eight mobile offices and the closest one is in Hummelstown. If anyone has any problems with state agencies, property tax or rent rebate forms, or needs help with PennDOT, Mr. Teplitz’s office can assist them. They do have citizen advisory committees that are looking for people to join.

Rich Gamble, Hockersville Road – Mr. Gamble asked the supervisors to identify themselves if there would be some benefit in relation to their private lives and their vocation in the community with regard to TIF. Could there be a conflict of interest?

Robert Smith, Hershey – Mr. Smith is a certified Pennsylvania state inspection mechanic. In reference to the conditional use request by Jiffy Lube, he measured the proposed location for test drives. The section of the service road between Kaylor and back by the car wash there is only 248 feet from the stop sign. You cannot test drive a car in 248 feet. In that area, Mr. Smith counted 248 vehicles, 9 service trucks, 2 tractor trailers between 7:00am and 8:00am. On the same day between 8am and 9:30am there were 297 vehicles and 13 service trucks backed up at the two stop signs. To do test drives in this area with this type of traffic would be a safety issue. He doesn’t know of any other school in the district that would have a test drive site directly next to and adjoining a school.

Mr. Smith contacted Skip Wagner who is on the Pennsylvania Round Table of State Inspections, Greg Stone, Pennsylvania State Quality Assurance Officer for our area, and Barry Kirshner, head automotive instructor at the Dauphin County Vo-Tech School. He asked them what the proper test drive procedures were.

Attorney Wagner objected to the extent there is hearsay coming into the record for the conditional use application.

Mr. Smith continued stating that you can’t do a proper test drive in 248 or 300 feet that is mentioned. The 20 mph speed is strictly for the brake test and is not for test driving a vehicle to make sure that it handles properly. You also need a 20 degree grade to properly test the parking brake which is not there. You also have to test the operation of the odometer and 92% of the time if you drive a car 248 feet, the odometer will not move so you don’t know if it works, which is part of the certification of a state inspection. The vehicle must be driven long enough to certify the safe operation on public roads. This would be an adverse affect on the health and safety of the area and people.

Don Shearer, 380 Meadow Lane, Hershey – Mr. Shearer is a certified omission and safety technician for 30 years. It only seems right to protect the integrity within our industry to be vocal to what is right and what is wrong when there are misconceptions. He did a consensus on behalf of numerous local inspection facilities, all of which he called upon to get their definition of “safe

test drive.” The consensus indicated that to test drive vehicles over 20mph minutes at a time is needed to properly test drive a vehicle. Mr. Shearer checked with another Jiffy Lube on Jonestown Road and they emphasized over 30mph and around a block to check rotors, etc. A proper test drive is a safe and accurate test drive for everyone.

Terrance Weir, 215 West Chocolate – Mr. Weir said he has only positive things to say about the volunteers in regards to their work on the buffer. There has not been one cent of taxpayer money put into that buffer. He asked who was calling this a storm swale. It is not a swale, it is a stream bed.

Robert Smith, Hershey – Mr. Smith said in speaking to Skip Wagner, the PA Roundtable concerning the Jiffy Lube, there is currently legislative proposed and in the fall there will be a requirement by the State Inspection Bureau for a minimum of a one-mile test drive.

APPROVAL OF MINUTES

Chairman Foley called for a motion to approve the Minutes of the February 10, 2015 Board of Supervisors Public Meeting regarding the TIF. Supervisor Engle made a motion to approve the Minutes. Supervisor Weir seconded. *The motion carried, 5-yes 0-no.*

Chairman Foley called for a motion to approve the Minutes of the February 10, 2015 Board of Supervisors Public Meeting regarding the Conditional Use Request. Supervisor Ballard made a motion to approve the Minutes. Supervisor Engle seconded. *The motion carried, 5-yes 0-no.*

Chairman Foley called for a motion to approve the Minutes of the February 10, 2015 Board of Supervisors Meeting. Supervisor Weir made a motion to approve the Minutes. Vice-Chairman Moyer seconded. *The motion carried, 5-yes 0-no.*

NEW BUSINESS

A1-13 Presentation by Mr. Tim Hoover and Mr. Tim Landenberger on the revamping of the storm swale in the area of the Hershey Public Library.

Mr. Landenberger showed a picture of a naturalized area that was both aesthetically pleasing and environmentally sound. All it takes is good planning and a little care every year. Mr. Hoover said the area they are looking at is the runoff stream adjacent to the Hershey Public Library, which is basically the area between the Antique Barn and the bridge that turns off of Cocoa Avenue. It is not addressing the areas downstream from that.

The design plan has effectively allowed for the control of the run-off in conjunction with DEP regulations. The original planning of live stake plant material provides minimal aesthetic beauty. The most critical thing is to not disturb the engineering function of that plant. Enhancement to this area can be achieved through installation of perennial wildflowers and warm season grasses. Their installation will not impact the functioning run-off and erosion controls. Meadow plantings provide wildlife habitat and meet the basic needs of many different species.

The plan includes organizing volunteer groups to plant into the existing vegetative cover that is there. The plantings would consist of 31 different species, 5 warm season grass species, 10 species for visual impact, 8 species noted as garden thugs, and 8 moisture tolerant species to be planted at the very lowest sections of the stream. The maintenance for these plantings would require

weeding once per week for the first three years. In addition, mowing of the area at a specified height and time would be necessary.

Chairman Foley noted that they worked with Matt Bonanno at HRG and received a DEP approval. Mr. Hoover thought the quick approval was because the plan was not disturbing anything that was already done including the engineering function.

Supervisor Ballard mentioned that the section from the library driveway bridge to the Antique Barn was paid for by the taxpayers (refurbishing of the stream and the planting of the stakes). HRG will monitor this for five years. She asked if the contractor is replacing the stakes that didn't live after the first year. Mr. Bonanno explained that because this was part of the Army Corps of Engineers DEP permit, they do monitor this for five years. He was able to negotiate with the contractor based on some of the live stakes that did not take. The contractor is going to give the Township back a credit and the money will be applied towards purchasing some of the new plants. So the money that the taxpayers did pay will still remain to enhance the riparian buffer.

Supervisor Ballard said some of the plantings were mowed over and asked if there will be plantings to get it back to the size it was. Mr. Bonanno said they will have to maintain the buffer width per the permit.

Supervisor Ballard asked if there will be any protection of the plantings to let those who are mowing know not to mow over. Mr. Hoover said they will be using what are called landscape plugs to keep areas from being run over. That is why he wrote in his plan that for three years to have someone weed about once a week. By the end of that three year time, the plantings will have bumped out enough that they are in direct competition with the weeds that you don't want there. He does not want to use herbicides.

B1-1 Consideration to engage our Township Engineer HRG, to provide required services relative to the Township's possible participation in the PennDOT resurfacing project on Cocoa Avenue.

James N. Negley, Township Manager/Township Treasurer – In 2015, Cocoa Avenue will be resurfaced by PennDOT. Chris Bauer from HRG reached out to PennDOT regarding this project. If the Township wishes to add to the project, HRG will provide a scope of services to proceed. Chairman Foley said he spoke to Chris Bauer and our town planner, Chris Brown, and asked them to come up with some recommendations for the Board to consider.

Supervisor Ballard is requesting that HRG consider the recommendations that were made in our 2010 PennDOT Walkable Communities Program Audit and in the 2013 Safe Routes to School audit. Also, the Regional Bike Connections Grant study is recommending southbound only buffer bike lane if space is a concern. Supervisor Engle said we will pay for the engineering and it is likely PennDOT will do these improvements as part of the project.

The Board gave direction for Mr. Bauer and Mr. Brown to move forward with recommendations.

C1-7 Consideration of adoption of a decision in the matter of Conditional Use Request No. 2014-01 as filed by Catherine E.R. Wagner, Esq., on behalf of A.J. Troncelleti.

Charles Emerick, Director of Community Development – At the public hearing on February 10, 2015 the Board deferred action to this evening. Then and tonight, Mr. Emerick provided some suggested conditions in the agenda if the Board is looking to grant this conditional use.

Attorney Wagner mentioned a letter that was sent to the Board on February 11 as a follow up to the last public hearing. Mr. Troncelleti did meet with the Middletown Interest Group representative Dale Holte.

Attorney Wagner asked Mr. Troncelleti to obtain a letter granting permission to use the private roads associated with the property at the Jiffy Lube. Attorney Wagner gave the Board copies of the letters.

When Mr. Troncelliti met with Mr. Holte, Mr. Holte said that the Middletown Road Coalition group was having a meeting the following Tuesday and he would ask if there was any opposition to the Jiffy Lube moving forward. Mr. Troncelliti understands there was no opposition from them. Attorney Wagner said they had representation from the neighborhood Association and there was no opposition.

Supervisor Engle read part of an email he received: “Today, they held the first formal meeting of the Middletown Road Coalition and before adjourning they discussed the Jiffy Lube application and unanimously agreed we have no opposition to this extension of their business. Please consider our position when voting on this application.”

Attorney Wagner said this is an application for state inspections only. If there are conditions placed on the property that go above and beyond this application, for example closing garage doors for purpose of all work done, she objects to that. The garage doors have always been opened.

Attorney Wagner said the Goddard School has already supported this conditional application and is on record. Vice-Chairman Moyer asked if the letter from the Goddard School was obtained with the knowledge that the road test would be limited to the physical premises of all private roads owned by Hummelstown REP, LLC or did they understand the road tests would also be conducted out on Middletown Road and other public roads. Mr. Troncelliti said as far as the road test, he is not aware that they had any idea about the private roads as this was just brought up recently.

Attorney Wagner stated that Mr. Troncelliti is also a state licensed state inspection provider and it is up to PennDOT to regulate whether or not the road is ideal. It is not up to the competitors or the Township.

Supervisor Ballard asked Mr. Emerick if his suggested conditions were provided to the Middletown Road Coalition meeting. Mr. Emerick said they were not. She asked if they were shared with Attorney Wagner and the applicant. Mr. Emerick said these conditions were read during the course of the hearing as suggested conditions.

Attorney Wagner said we are talking 2 to 5 additional vehicles using these roads a week. This is not an extensive overburdening of public services or the roads, but we do have permission to use those private roads

Supervisor Engle said it does seem a bit unreasonable to do test drives on the private roads. The majority of the traffic on the Middletown Road is from Kaylor Road in towards the schools and the hospital. One possibility would be to mandate that test drives take place towards 283 southbound. Vice-Chairman Moyer said there are traffic concerns on Middletown Road if you are pulling out of the Turkey Hill making a left past Joann Avenue, Dartmouth Farms, and Stone Creek.

Supervisor Weir said he did attend the coalition meeting but does not recall anything being said about closing doors. There were about 20 people from the Homeowner's Association that were present at the Middletown Road Coalition meeting. There are about 1300 dwelling units in the Southpoint Deer Run Commons and all of those people need to get their cars inspected. It takes multiple trips to Middletown or elsewhere in the Township to get one car inspected and having a place closer to inspect your car will be beneficial.

Mr. Emerick added that if the state law is going to change and if test drives do have to go a mile, he does not want to have to hold another hearing. He doesn't know if test drives should be limited to the private road if the state is going to make this change because it would put the applicant out of compliance with the conditional use.

Supervisor Ballard thought she recalled it was okay with Mr. Troncelliti to keep the doors closed. Mr. Troncelliti answered that he never said that. He explained there is heat inside the building, but there is no air conditioning. Supervisor Ballard said it would be easier for her if we don't put any conditions in the draft unless we know that the applicant would agree to them.

Supervisor Weir asked Mr. Troncelliti if he was comfortable signing off on an inspection on the way you test drive cars right now. Mr. Troncelliti said they are not doing anything right now, but he is proposing they test drive cars with no restrictions.

Supervisor Ballard clarified that Mr. Troncelliti does not want restriction #1 restricted to a private road and # 3 keeping the doors down.

Motion: A motion made by Supervisor Weir and seconded by Supervisor Ballard that Conditional Use Decision No. 2014-01 is approved for Conditions 2, 4, 5, 6, 7 excluding *Condition #1- Road tests associated with Pennsylvania state safety and emissions (diagnostic) inspections are restricted to the private road adjacent to the subject property; and Condition #3- All work must be performed in an enclosed building, with the exception of road tests necessary for Pennsylvania state safety and emissions (diagnostic) inspection services. This condition specifically requires that the garage doors and all other doors remain closed when work is being performed. **The motion carried, 4-yes 1-no.***

D1-1 Consideration for the appointment of two members from the Board of Supervisors to the Tax Increment Financing (TIF) Committee.

James N. Negley, Township Manager/Township Treasurer – A public hearing was held on February 10, 2015 to introduce a proposed TIF District in Downtown Hershey. The next step in the TIF process is developing a TIF Committee. The School Board has appointed four of its members to serve and the Township should consider two of its members to serve. Chairman Foley said appointing members of this Board is solely to appoint members to explore and share with other taxing bodies virtues or pitfalls with a TIF district.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Engle that Supervisor Matt Weir, Vice-Chairman Marc Moyer, and Manager Jim Negley are Derry Township's appointments to serve on the TIF Committee, and are hereby approved. *The motion carried, 5-yes 0-no.*

E1-2 Adoption of Resolution No. 1425, authorizing the adoption of the Dauphin County Emergency Operations Plan for use as the Township of Derry Emergency Operations Plan.

Patrick O'Rourke, Chief of Police – The Township previously adopted the Dauphin County Emergency Operations plan in 2008 as the Township plan. The statute requires that the plan be reviewed and readopted every two years, or whenever there is a major revision to the plan, or whenever there is a significant change to the composition of the Township Board of Supervisors. Dauphin County Commissioners adopted and reissued minor revisions to their plan on February 12, 2013; therefore, Derry Township needs to readopt the plan.

Motion: A motion made by Supervisor Ballard and seconded by Chairman Foley that the adoption of Resolution No. 1425, authorizing the adoption of the Dauphin County Emergency Operations Plan for use as the Township of Derry Emergency Operations Plan, is hereby approved. *The motion carried, 5-yes 0-no.*

F1-5 Award of a contract for Children/Young Adult Service Desk at Hershey Public Library.

Barbara S. Ellis, Director of Hershey Public Library – Over the last four years, the Hershey Public Library has done a great deal to upgrade and replace some of the furniture and some of the design inside of the library. In 2014, the Library Board approved engaging the services of Chris Dawson, an architect to design updates to the Children's and Young Adult Area. The design for the new service desk was reviewed and the Board supported this choice. The project was advertised and three bid submissions were received. The lowest bid was Winall, Inc., d.b.a., Mid-State at \$26,738 for the service desk. The desk has one side for the staff and the other side is a computer area for children and young adult services. Moving the desk that is currently in the library will free up a much larger space. That space will have other furniture that in addition to the service desk request, the furniture will have a new design element as well. The additional funds for that will come from Friends and the funds for this project will come from the Lescanec funds that were approved in 2014 and 2015.

Vice-Chairman Moyer said he sits on the Library Board and acknowledged that there was a lot of thought that went into this from the Board in terms of the design specifications. The desk is going to be very functional for the kids with technology ports, etc. It is revenue neutral for the Township.

Motion: A motion made by Supervisor Ballard and seconded by Vice-Chairman Moyer that award of a bid to Winall, Inc., d.b.a. Mid-State in the amount of \$26,738.00 for a Children/Young Adult Service Desk at Hershey Public Library, is hereby approved. *The motion carried, 5-yes 0-no.*

G1-20 Consideration of Resolution No. 1426, which would revise certain fees and restate other fees under the building codes, zoning codes, subdivision and land development codes, stormwater management codes, and other miscellaneous fees and charges for services provided by Community Development personnel.

Charles Emerick, Director of Community Development – In 2011, a comprehensive fee update was conducted. During that time, we found that some fees had not been altered since the 1990's. We created a fee schedule that contained all of our fees and brought it before the Board. The Board asked that we annually review the fee schedule to keep it current and up to-date, which we have been doing. In December 2014, we had a fee increase by our sewage enforcement officer and we addressed it in December. Mr. Emerick reviewed the rest of the fees, which resulted in this resolution that is raising certain fees between 3% and 5% generally.

Supervisor Ballard recalls the concerns were that the fees should adjust with inflation. We can't keep the numbers the same every year without adjusting for inflation. Mr. Emerick said he provided the Board with a spreadsheet that shows how each of the fees have been adjusted since 2011. We are staying paced with the economy. The fee increases are based on consumer price index numbers just as we treat our Park and Recreation dedication. Part of the budget impact is the fees cited in the resolution are end user fees.

Supervisor Weir asked if our intent is to look at increasing all the fees next year. Mr. Emerick said we don't necessarily try to do that. Most of the fees are \$50, \$75 – we try to get to even numbers. He would not recommend just raising all the fees, but will not allow it to get like it was in the past. They will continue to monitor it.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Engle that Resolution No. 1426, which would revise certain fees and restate other fees under the building codes, zoning codes, subdivision and land development codes, stormwater management codes, and other miscellaneous fees and charges for services provided by Community Development personnel, is hereby approved. *The motion carried, 5-yes 0-no*

H1-4 Consideration of the release of a portion of the performance security provided for the Preliminary/Final Subdivision and Stormwater Management Site Plan for 11 and 19 East Chocolate Avenue, Plat No. 1238.

Motion: A motion made by Chairman Foley and seconded by Supervisor Ballard that the Township release \$316,053.92 from the performance security held as Travelers Casualty and Surety Company of America Bond No. 106008846 for the Preliminary/Final Subdivision and Stormwater Management Site Plan for 11 and 19 East Chocolate Avenue, Plat No. 1238, resulting in a new balance of \$71,115.14, is hereby approved. *The motion carried, 5-yes 0-no.*

CORRESPONDENCE/BOARD/COMMITTEE INFORMATION

Supervisor Ballard attended the COG Council meeting and was asked to follow up with a reminder to support the new bill for radar approval. Manager Negley said the Chief was looking into this. Supervisor Ballard will share the House Bill numbers with the Chief.

Chairman Foley reported that Vice-Chairman Moyer, Manager Negley and he met with the leadership of the School Board. It was a productive meeting and they will continue to meet quarterly.

Supervisor Weir reported that he did meet with Mr. Holte and the Middletown Road Coalition. It was a very positive meeting and they set some great bylaws for themselves.

REPORTS

Bob DiLello, Hershey Fire Company – Mr. DiLello reported the HVFC is scheduled to be out of their station by mid-March and the construction will begin.

Thomas Clark, Director of Public Works – Mr. Clark reported they barely made it through the storm with the amount of salt that they had. They have 400 ton on order, but trucking is the issue.

Barbara S. Ellis, Director of Hershey Public Library – Ms. Ellis reported this week they expect to release a community survey as part of their strategic plan.

Matthew Mandia, Director of Parks and Recreation – Mr. Mandia reported on two projects that were approved in the capital budget. The outdoor pool circulation reconfiguration project includes a new pump that will draw water back to the filtration system quicker and that should be up and running by the end of April. Within the next two meetings, Mr. Mandia plans to have the outdoor tennis court resurfacing project for the six outdoor tennis courts and the two outdoor basketball courts on the agenda for approval.

Charles Emerick, Director of Community Development – Mr. Emerick said he has the dates for the next three meetings related to the Comprehensive Plan and will give them to the Board tomorrow.

APPROVAL OF ACCOUNTS PAYABLE (\$493,438.32) AND PAYROLL (\$308,878.93).

Supervisor Weir moved to approve accounts payable in the amount of \$493,438.32 and payroll in the amount of \$308,878.93. Supervisor Engle seconded. *The motion carried, 5-yes 0-no.*

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Carol Gisselquist, 29 W. Governor Road – Ms. Gisselquist commented on the report regarding the riparian buffer and is in support of it. She referred to Mr. Bonanno's comment about getting a credit for outstanding items and wondered if the same plan/credit applies to south of Governor Road. Mr. Bonanno said they are looking for the entire stretch. She asked if flowers will be planted south of Governor Road. Mr. Bonanno said not at this time. The planting that is being proposed tonight is just the stretch in front of the library.

Ms. Gisselquist said she was one of the volunteers that did some planting and was told they were to stop planting those flowers. She wondered if they could restart planting. Chairman Foley said they would like to have it managed so they have a clear understanding of what is being planted. This will be managed under Public Works.

Terrance Weir said people donated those valuable plants and the Township stopped the project cold. Why are you blaming volunteers for promoting this? Chairman Foley said he would talk to him after the meeting.

Dennis Trout – Mr. Trout said many people attended the Board of Supervisors meeting on January 27 and were told we should restrict our comments to the definitions related to Jiffy Lube. There was no notice to the public of a public hearing related to the Jiffy Lube. This is the first he heard officially about the Middletown Road Coalition. He asked how it was formed, who formed it, and what invite was given. He lives across the road from the Jiffy Lube and noise is an issue. Chairman Foley stated the Middletown Road Coalition is not organized by the Board of Supervisors. It is a collection of the Homeowner's Associations in the Middletown Road area.

Supervisor Ballard asked if the public meeting we just had was advertised before the latest hearing. Mr. Emerick said it was advertised October 9 and October 16 and there was continuation at each hearing at each point. The hearings are on the website and in the eNews.

Mr. Dale Holte, Deer Run Homeowners Association and part of the Middletown Road Coalition – Mr. Holte said the Middletown Road Coalition is an advisory group that is loosely formed and they are just getting started. Their goal is not to focus on single issues, but to look at a larger picture of the comprehensive plan. It started with a couple of HOA presidents about issues and it is expanding. Their next meeting is March 3 at 9:30 in the Township building and Mr. Trout is welcome to come.

Rich Gamble, Hockersville Road – Mr. Gamble is concerned with the number of dump trucks going up Hockersville Road in the mornings. He asked that they use 2nd Street and go out 422. Chairman Foley will see that the contractor knows.

ADJOURNMENT

Chairman Foley moved to adjourn the meeting. Supervisor Ballard moved to adjourn the meeting at 8:55 p.m. ***The motion carried, 5-yes 0-no.***

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary